

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

KELLY NUNES,)

Defendant.)

2:10-CR-356-LDG-(VCF)

SECOND AMENDED ORDER OF FORFEITURE

On February 2, 2012, defendant KELLY NUNES was found guilty by a jury, convicting him in Count One with Conspiracy to Commit Wire Fraud and Bank Fraud in violation of Title 18, United States Code, Sections 1343, 1344(1) and (2), and 1349, and in Count Three with Bank Fraud in violation of Title 18, United States Code, Section 1344(1) and (2). Jury Verdict, ECF No. 287.

This Court found on February 9, 2012, that KELLY NUNES shall pay a criminal forfeiture money judgment of \$965,000.00 in United States Currency, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States Code, Section 853(p). Order of Forfeiture, ECF No. 295.

On February 15, 2012, this Court rescinded and vacated the February 9, 2012 order. Order Rescinding and Vacating Forfeiture Order, ECF No. 298.

This Court subsequently found, on May 16, 2012, that KELLY NUNES shall pay a criminal forfeiture money judgment of \$2,350,350.00 in United States Currency, pursuant to Fed. R. Crim. P.


1 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States
2 Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States
3 Code, Section 853(p). Amended Order of Forfeiture, ECF No. 331.

4 Thereafter, the United States of America recognized a mathematical error and now asks the
5 Court to lower the amount of the criminal forfeiture money judgment from \$2,350,350.00 to
6 \$2,341,350.00.

7 This Court finds that KELLY NUNES shall pay a criminal forfeiture money judgment of
8 \$2,341,350.00 in United States Currency to the United States of America, pursuant to Fed. R. Crim.
9 P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States
10 Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States
11 Code, Section 853(p).

12 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United
13 States recover from KELLY NUNES a criminal forfeiture money judgment in the amount of
14 \$2,341,350.00 in United States Currency.

15 DATED this 25 day of June, 2012.

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18 UNITED STATES DISTRICT JUDGE
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